

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Original Application Nos.444 to 450 of 2018
and Application Nos.3864 to 3870 of 2018

DMI Finance Private Limited,
9-10, 3rd Floor, Express Building,
New Delhi - 110 002.

Represented by Vivek Rana
The Authorised Signatory

...

Applicant
[in all O.A.Nos.]

versus

1.P Dot G Construction Private Limited,
Plot No.26, Balasubramanian Street,
Sapthagiri Nagar, Valasaravakkam,
Chennai - 600 116.

2.Prabhakar Reddy,
No.10, VI West Cross Street,
Shenoy Nagar, Chennai-600 030

3.Hamsini Foundations Private Limited,
"8 Square", Plot No.26, Balasubramanian Street,
Sapthagiri Nagar, Valasaravakkam,
Chennai - 600 116.

...

Respondents
[in all O.A.Nos.]

Prayer in O.A.No.444 of 2018: Original Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(2)(d) of the Arbitration and Conciliation Act, 1996, to grant a mandatory injunction directing the 1st respondent to forthwith execute and register the sale deeds for the properties mentioned in Schedule I to the Judges Summons in favour of the applicant as set out in the Memorandum of Settlement dated 03.02.2017 pending disposal of the arbitration proceedings.

Prayer in O.A.No.445 of 2018: Original Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(2)(d) of the Arbitration and Conciliation Act, 1996, to grant an interim injunction restraining the 1st respondent, its employees, men, servants, agents, representatives and any other person acting on its behalf from in any manner transferring, alienating and encumbering the properties mentioned in Schedule I to the Judges Summons, without prior written consent of applicant pending disposal of the arbitration proceedings.

Prayer in O.A.No.446 of 2018: Original Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(2)(d) of the Arbitration and Conciliation Act, 1996, to grant interim injunction restraining the 1st and 2nd respondents, its employees, men, agents, or any other persons acting on its behalf from interfering with the actions of the Project Manager appointed by the applicant as contemplated under Article 14(iii) of the Memorandum of Settlement dated 03.02.2017 vide letter dated 25.04.2018, pending disposal of the arbitration proceedings.

Prayer in O.A.No.447 of 2018: Original Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(2)(d) of the Arbitration and Conciliation Act, 1996, to grant an interim injunction restraining the 2nd respondent, his men, agents, or any other person acting on his behalf from in any manner transferring, alienating or encumbering his shareholding being 50% of the total shares in the 3rd respondent Company, pending disposal of the arbitration proceedings.

Prayer in O.A.No.448 of 2018: Original Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(2)(d) of the Arbitration and Conciliation Act, 1996, to grant an interim injunction restraining the 3rd respondent from issuing additional shares so as to dilute the shareholding of the 2nd respondent without the leave of this Court, pending disposal of the arbitration proceedings.

Prayer in O.A.No.449 of 2018: Original Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(2)(d) of the Arbitration and Conciliation Act, 1996, to grant an interim injunction restraining the 1st respondent, his men, agents, or any other person acting on its behalf not to release any funds from its Bank accounts, as set out in Schedule VI to the Judges Summons without the consent of the Project Manager, pending disposal of the arbitration proceedings.

Prayer in O.A.No.450 of 2018: Original Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(2)(d) of the Arbitration and Conciliation Act, 1996, to grant an interim injunction restraining the 1st respondent, his men, agents, or any other person acting on its behalf from disposing off its properties set out in Schedule VII of the Judges Summons, pending disposal of the arbitration proceedings.

For Applicant : Mr.Adarsh Subramaniam
[in all O.A.Nos]
For Respondents : No Appearance
[in all O.A.Nos]

COMMON ORDER

These Original Applications have been filed by the applicant seeking various interim orders.

2. Today, when these matters were called, the learned counsel appearing for the applicant submitted through video conferencing that the first respondent has entered CIRP proceedings and same also completed.

3. In such view of the matter, this Court is of the view that all reliefs sought by the applicant have given quietus, as further orders is not required to be passed in these applications. Accordingly, all these Original Applications and Applications are closed.

Sd/.N.S.K.J.
25.08.2020

//Certified to be a true copy//

Dated this the day of 2020.

SU/07.09.2020

COURT OFFICER(O.S.)

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.